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Curaleaf, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KATHERINE BROOKS, on behalf of herself
and all other similarly situated,

Plaintiff,

v.

CURALEAF, INC.,

Defendant.

No. 20-cv-06323 (JSR)

Document Filed Electronically

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S CLASS ACTION
COMPLAINT**

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law dated October 8, 2020, Defendant CURALEAF, INC. (“Defendant” or “Curaleaf”), pursuant to Federal Rule of Civil Procedure 12(b)(6), will move this Court on November 5, 2020 at 4:00 p.m. before the Honorable Jed S. Rakoff, United States District Judge, at the United States District Court for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, New York, to dismiss the Class Action Complaint for alleged violations of the Telephone Consumer Protection Act of 1991, 47 U.S.C. §§ 227 *et seq.* (“TCPA”) for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that pursuant to the schedule put in place by the Court, Plaintiff’s answer is due by October 22, 2020, Defendant’s reply is due by October 29, 2020, and the Court will conduct oral argument on November 5, 2020, at 4:00 p.m.

WHEREFORE, Defendant respectfully requests that the Court grant its Motion to Dismiss the Class Action Complaint in its entirety and with prejudice, together with such other and further

relief as the Court deems just and proper.

Dated: October 8, 2020

GREENBERG TRAURIG, LLP

By: */s/ Louis Smith*
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